

DECLARATION FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled VIBRATORY CONVEYING APPARATUS ADAPTED TO BE DRIVEN BY A PLURALITY OF ACCUMULATIVELY PHASED PAIRS OF ROTATING ECCENTRIC WEIGHTS, the specification of which:

 X is attached hereto; or

 was filed on as United States Application Number

or PCT International Application Number

and was amended on (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 C.F.R. 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application for patent or inventor's certificate or any PCT international application having a filing date before that of the application on which priority is claimed.

PRIOR FOREIGN APPLICATION(S)

PRIOR FOREIGN APPLICATION(S)			Priority Claimed
			___ Yes ___ No
_____ (Application Number)	_____ (Country)	_____ (Filing Date)	
_____ (Application Number)	_____ (Country)	_____ (Filing Date)	___ Yes ___ No

I hereby claim the benefit under 35 U.S.C. 119(e) of any United States provisional application(s) listed below.

PRIOR U.S. PROVISIONAL APPLICATION(S)

_____ 60/146,462 (Application Number)	_____ July 30, 1999 (Filing Date)
_____ (Application Number)	_____ (Filing Date)

I hereby claim the benefit under 35 U.S.C. 120 of any United States application(s), or 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of 35 U.S.C. 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 C.F.R. 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

U.S. OR PCT PARENT APPLICATION(S)

_____ (Application Number)	_____ (Filing Date)	_____ (Patent Number, if any)
_____ (Application Number)	_____ (Filing Date)	_____ (Patent Number, if any)

I hereby appoint the following registered practitioners to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith: Thomas E.

Smith, Registration No. 18,243; Dennis M. McWilliams, Registration No. 25,195; James R. Sweeney, Registration No. 18,721; William M. Lee, Jr., Registration No. 26,935; Glenn W. Ohlson, Registration No. 28,455; David C. Brezina, Registration No. 34,128; Jeffrey R. Gray, Registration No. 33,391; Gerald S. Geren, Registration No. 24,528; Robert F. I. Conte, Registration No. 20,354; Timothy J. Engling, Registration No. 39,970; Peter J. Shakula, Registration No. 40,808; and Gregory B. Beggs, Registration No. 19,286.

It is requested that all communications be directed to:

Jeffrey R. Gray
Lee, Mann, Smith, McWilliams, Sweeney & Ohlson
P.O. Box 2786
Chicago, Illinois 60690-2786
Telephone: (312) 368-1300
Facsimile: (312) 368-0034

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor: George D. Dumbaugh

Signature 

Date

July 27, 2000

Country of Residence: United States of America

Country of Citizenship: United States of America

Post Office and Residence Address: 1500 Sylvan Court
Louisville, Kentucky 40205

CK

Applicant or Patentee: George D. Dumbaugh

Serial or Patent No.: _____

Filed or Issued: _____

For: Vibratory Conveying Apparatus Adapted To Be Driven By A Plurality Of Accumulatively Phased Pairs Of Rotating Eccentric Weights

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
(37 CFR 1.9(f) and 1.27(c)) - SMALL BUSINESS CONCERN

I hereby declare that I am

[] the owner of the small business concern identified below:

[X] an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF CONCERN Kinergy CorporationADDRESS OF CONCERN 7310 Grade Lane, Louisville, Kentucky 40219

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled VIBRATORY CONVEYING APPARATUS ADAPTED TO BE DRIVEN BY A PLURALITY OF ACCUMULATIVELY PHASED PAIRS OF ROTATING ECCENTRIC WEIGHTS

by inventor(s) George D. Dumbaugh

described in

[x] the specification filed herewith

[] application serial no. _____, filed _____

[] patent no. _____, issued _____

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below* and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9(d) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e). *NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

NAME _____

ADDRESS _____

[] INDIVIDUAL

[] SMALL BUSINESS CONCERN

[] NONPROFIT ORGANIZATION

NAME _____

ADDRESS _____

[] INDIVIDUAL

[] SMALL BUSINESS CONCERN

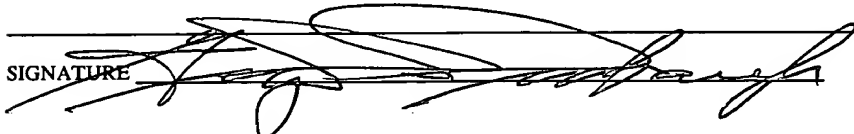
[] NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING George D. DumbaughTITLE OF PERSON OTHER THAN OWNER PresidentADDRESS OF PERSON SIGNING 7310 Grade Lane, Louisville, Kentucky 40219

SIGNATURE



Date

July 20, 2000